

## BEST AVAILABLE COPY

Serial No. 09/665,941

Docket No. P-0124

Reply to the Office Action dated February 25, 2004

REMARKS

Claims 7, 9, 12-24, 34-35, and 37-39 are pending in a present application. By this Amendment, claims 7, 9, 11-14, 24, and 34 are amended, claims 1-6, 8, 10-11, 25-33, and 36 are canceled without prejudice or disclaimer, and claims 37-39 are added. Claims 1-6 and 27-33 have been canceled to be pursued in a Continuation application. Further, the specification has been amended to correct minor informalities and it is believed that no new matter has been added. Support for the amendments can be found throughout the specification, including the original claims, and drawings. Reconsideration in the view of the above amendments and following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Office Action objected to claims 9-13 for informalities. Claims 9 and 11-13 have been amended to depend from claim 7, rather than on canceled claim 8 (claim 10 has been canceled). Accordingly, the objection to claims 9-13 should be withdrawn.

The Office Action rejected claim 24 under 35 U.S.C. §112, first paragraph. The features the Examiner objected to in claim 24 have been removed. Accordingly, the rejection of claim 24 under 35 U.S.C. §112, first paragraph, should be withdrawn.

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The Office Action rejected claims 1-4, 7, 9-11, 14-21, 24-30, and 33-36 under 35 U.S.C. §102(b) as anticipated by Lawler. Claims 1-4, 10-11, 25-30, 33, and 36 are canceled and therefore the rejection is moot with respect to these claims. The rejection is respectfully traversed with respect to the remaining claims.

Independent claims 7 and 34 have been amended to include the subject matter recited in dependent claims 10 and 36, respectively, and to recite that the item preference level of the multiple items user preference information is independent of item preference levels for the combined single items. For example, amended independent claim 7 is directed to a multiple item user preference information data structure for multi-media information provided from an information provider. The data structure includes single item user preference information for single items related to the multi-media information and multiple items user preference information for multiple items formed by combining the single items. The multiple item user preference information includes a user preference item identifier which is a combination of single user preference items, and includes an item preference level indicating the degree of user preference, corresponding to the user preference of combinations of the user preference item identifiers. Further, the item preference level of the multiple items user preference information is independent of item preference levels for the combined single items.

Independent claim 14 has been amended to include subject matter similar to that as recited in claims 25 and 26 and to recite that the second weight is independent of the first weight.

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In a non-limiting example, Figure 4 illustrates that the multiple item user preference information includes a combination of single user preference items, and includes an item preference level indicating the degree of user preference, corresponding to the user preference of the combination of the user preference items. That is, as shown in Figure 4, a preference level  $P_1$  and  $P_2$ , for example, indicating the degree of user preference for the multiple items Genre B, Actor A and Genre B, Actor B, respectively.

In addition, as shown in the drawing, it is noted that the user has a tendency (indicated by 'H2') to prefer a movie directed by a director 'B', a movie belonging to a genre 'B' and a movie in which an actor 'A' plays, and has a tendency (indicated by 'H1') not to prefer a movie directed by a director 'A', a movie belonging to a genre 'A' and a movie in which an actor 'B' plays. If the user preference information is expressed only with the single item for the user preference/non-preference according to the conventional art, it is inferred that the user would prefer a movie (indicted by 'H4') that belongs to the genre 'B' and the actor 'A' to a movie (indicated by 'H3') that belongs to the genre 'B' and the actor 'B'. However, this is not always the case (see page 9, lines 7-16).

That is, as shown in Figure 4, when the user preference information is expressed using the multiple items and a corresponding user preference/non-preference level according to this example, the user prefers the movie ( $P_2 = H_3$ ) that belongs to the genre 'B' and the actor 'B' plays to the movie ( $P_1 + H_4$ ) that belongs to the genre 'B' and the actor 'A'. Consequently, the user preference information can be represented more accurately by providing a preference level or value for a combination of multiple items (see page 9, lines 17-23).

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For example, as shown in Figure 4, the levels  $P_1$  and  $P_2$  are not merely sums of the levels for the single items and thus can be independent of the levels for the single items. In more detail,  $P_1$  has a preference level of  $-1$  and corresponds to the combination of single items encircled by  $H_4$ . A sum of the levels in  $H_4$  would be  $2 + 4$  (i.e., a preference level of  $+2$  for Actor A and a preference level of  $+4$  for Genre B). Thus, the sum of levels in  $H_4$  would be equal to a level of  $+6$ . As shown, however,  $P_1$  corresponding to the combination of single items in  $H_4$  has a preference level of  $-1$ , which does not equal the sum of single items in  $H_4$  ( $=6$ ), and the exemplary levels for the multiple items are independent of the levels of the combined first items.

In contrast, Lawler merely teaches assigning count values (see Table 2) related to the name of an actor, the genre, the sub-genre or the team. The count value is based on the number of times a user has watched/received the program (see column 8, lines 1-3). For example, with reference to Table 2, the user has watched Tim Allen 27 times, Roseanne Barr 42 times and the Boston Red Sox 10 times. As discussed in col. 8, line 63 to col. 9, line 6, Lawler adds up (sums) the individual count values for the single items to achieve a total count value for multiple items. Thus, Lawler does not disclose or suggest an item preference level indicating the degree of user preference, corresponding to the user preference of combinations of the user preference item identifiers, said item preference level of the multiple items user preference information being independent of item preference levels for the combined single items. Rather, in the Smith teachings the final value for the multiple items is dependent on the first items (i.e., is a sum of values for the first items). Additionally, Lawler does not disclose or suggest the respective

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claimed combinations of independent claims 7 and 34. Further, with respect to independent claim 14, Lawler does not disclose or suggest associating a second weight value to a group of a plurality of said items, wherein said second weight value is assigned based on a user preference information for said group and is independent of the first weight value. As set forth above, in the Smith teachings the final value for the multiple items is dependent on the first items (i.e., is a sum of values for the first items).

Accordingly, it is respectfully submitted that independent claims 7, 14, and 34 are allowable over Lawler. Dependent claim 9, 11, 15-21, 24, and 35, as well as added claims 37-39, are allowable over Lawler at least for the reasons discussed above with respect to independent claims 7 and 14, from which they ultimately depend, as for their added features.

The Office Action rejected claims 5-6, 12-13, 22-23, and 31-32 under 35 U.S.C. §103(a) as unpatentable over Lawler. Claims 5-6 and 31-32 are canceled and thus the rejection is moot with respect to these claims. This rejection is respectfully traversed with respect to the remaining claims.

Dependent claims 12-13 and 22-23 are allowable over Lawler at least for the reasons discussed above with respect to independent claims 7 and 14, from which they ultimately depend, as for their added features.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited. If the Examiner believes that any additional changes would place the

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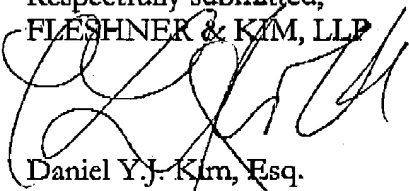
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application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzbeck, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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